

2SHB 1188 - S AMD 625

By Senators Haugen, Swecker

ADOPTED 04/20/2005

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 41.56.473 and 1999 c 217 s 3 are each amended to read  
4 as follows:

5 (1) In addition to the entities listed in RCW 41.56.020, this  
6 chapter applies to the ((Washington)) state ((patrol)) with respect to  
7 the officers of the Washington state patrol appointed under RCW  
8 43.43.020(~~(. Subjects of bargaining include wage related matters)~~),  
9 except that the ((Washington)) state ((patrol)) is prohibited from  
10 negotiating (~~(rates of pay or wage levels and)~~) any matters relating to  
11 retirement benefits or health care benefits or other employee insurance  
12 benefits.

13 (2) For the purposes of negotiating wages, wage-related matters,  
14 and nonwage matters, the state shall be represented by the governor or  
15 the governor's designee who is appointed under chapter 41.80 RCW, and  
16 costs of the negotiations under this section shall be reimbursed as  
17 provided in RCW 41.80.140.

18 (3) The governor or the governor's designee shall consult with the  
19 chief of the Washington state patrol regarding collective bargaining.

20 (4) The negotiation of provisions pertaining to wages and wage-  
21 related matters in a collective bargaining agreement between the  
22 ((Washington)) state ((patrol)) and the Washington state patrol  
23 officers is subject to the following:

24 (a) The state's bargaining representative must periodically consult  
25 with a subcommittee of the joint committee on employment relations  
26 created in RCW 41.80.010(5) which shall consist of the four members  
27 appointed to the joint committee with leadership positions in the  
28 senate and the house of representatives, and the chairs and ranking  
29 minority members of the senate transportation committee and the house  
30 transportation committee, or their successor committees. The

1 subcommittee must be consulted regarding the appropriations necessary  
2 to implement these provisions in a collective bargaining agreement and,  
3 on completion of negotiations, must be advised on the elements of these  
4 provisions.

5 (b) Provisions that are entered into before the legislature  
6 approves the funds necessary to implement the provisions must be  
7 conditioned upon the legislature's subsequent approval of the funds.

8 (5) The governor shall submit a request for funds necessary to  
9 implement the wage and wage-related matters in the collective  
10 bargaining agreement or for legislation necessary to implement the  
11 agreement. Requests for funds necessary to implement the provisions of  
12 bargaining agreements may not be submitted to the legislature by the  
13 governor unless such requests:

14 (a) Have been submitted to the director of financial management by  
15 October 1st before the legislative session at which the requests are to  
16 be considered; and

17 (b) Have been certified by the director of financial management as  
18 being feasible financially for the state or reflects the decision of an  
19 arbitration panel reached under RCW 41.56.475.

20 **Sec. 2.** RCW 41.56.475 and 1999 c 217 s 4 are each amended to read  
21 as follows:

22 In addition to the classes of employees listed in RCW 41.56.030(7),  
23 the provisions of RCW 41.56.430 through 41.56.452 and 41.56.470,  
24 41.56.480, and 41.56.490 also apply to Washington state patrol officers  
25 appointed under RCW 43.43.020 as provided in this section, subject to  
26 the following:

27 (1) The mediator or arbitration panel may consider only matters  
28 that are subject to bargaining under RCW 41.56.473.

29 (2) The decision of an arbitration panel is not binding on the  
30 legislature and, if the legislature does not approve the funds  
31 necessary to implement provisions pertaining to wages and wage-related  
32 matters of an arbitrated collective bargaining agreement, is not  
33 binding on the state or the Washington state patrol.

34 (3) In making its determination, the arbitration panel shall be  
35 mindful of the legislative purpose enumerated in RCW 41.56.430 and, as  
36 additional standards or guidelines to aid it in reaching a decision,  
37 shall take into consideration the following factors:

- 1 (a) The constitutional and statutory authority of the employer;  
2 (b) Stipulations of the parties;  
3 (c) Comparison of the hours and conditions of employment of  
4 personnel involved in the proceedings with the hours and conditions of  
5 employment of like personnel of like employers of similar size on the  
6 west coast of the United States;  
7 (d) Changes in any of the foregoing circumstances during the  
8 pendency of the proceedings; and  
9 (e) Such other factors, not confined to the foregoing, which are  
10 normally or traditionally taken into consideration in the determination  
11 of matters that are subject to bargaining under RCW 41.56.473."

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12 In line 2 of the title, after "matters;" strike the remainder of  
13 the title and insert "and amending RCW 41.56.473 and 41.56.475."

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